
KING COUNTY CHARTER REVIEW COMMISSION

PUBLIC OUTREACH MEETING

APRIL 8, 2008

SEATTLE, WASHINGTON

Taken at The Hall at Fauntleroy, 9131 California Avenue
Southwest, Seattle, Washington, at 6:36 p.m., before
Emily Kae Niles, Registered Professional Reporter.

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1 A P P E A R A N C E S

2 King County Charter Review Commission Members:

3 MIKE LOWRY, Co-Chair, District 9
4 TRISHA BENNETT, District 7
5 JIM ENGLISH, District 8
6 BRYAN GLYNN, District 4
7 KIRSTIN HAUGEN, District 1
8 GREGG HIRAKAWA, District 4
9 TERRY LAVENDER, District 3
10 GARY LONG, District 8
11 SHARON MAEDA, District 8
12 ALLAN MUNRO, District 8
13 JAMES WILLIAMS, District 7
14 MIKE WILKINS, District 4

15 Staff:

16 MARK YANGO, Charter Review Coordinator
17 CORRIE WATTERSON BRYANT, Project Manager
18 BECKY SPITHILL, Project Manager
19 CHARLOTTE OHASHI, Admin. Assistant
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1 SEATTLE, WASHINGTON, TUESDAY, APRIL 8, 2008;

2 6:36 P.M.
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4 MR. MUNRO: Welcome to the first of the second set
5 of the public outreach meetings that the King County
6 Charter Review Commission has scheduled. My name's
7 Allan Munro. I'm a member of the Commission and I'm its
8 designated chair for this evening. I can't tell you how
9 that election took place, but I'm sure it compares
10 favorably with some of the ones that have occurred in
11 Africa recently, so....

12 I'd like to introduce the other members of the
13 Commission, many of whom are present tonight, starting
14 with Co-Chair Mike Lowry, who was here a minute ago.
15 Here he is.

16 Co-Chair Lois North is out of town, so she's not
17 going to be able to be present.

18 But Kirstin Haugen was scheduled to be here. I
19 don't know if she's made it yet or not. I don't see
20 her.

21 Is Juan Bocanegra here?

22 Terry Lavender is here. I just don't see her.
23 Okay, she's here.

24 Bryan Glynn.

25 Gregg Hirakawa is scheduled to be here. I don't

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1 know if he's here yet.

2 UNIDENTIFIED SPEAKER: He's here.

3 MR. MUNRO: Is he?

4 UNIDENTIFIED SPEAKER: Raise your hand, Gregg.

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5 MR. MUNRO: He's shy.
6 Mike Wilkins.
7 James Williams.
8 Trisha Bennett.
9 Gary Long.
10 Jim English.
11 Sharon Maeda.
12 And I already introduced Mike Lowry.
13 Those who wish to speak on any of the issues,
14 please make sure you've signed in in the back because
15 it's our intention to call on those people at least
16 first.
17 And I also hope you picked up your materials
18 because you've got a draft of the proposed amendments to
19 the King County Charter.
20 Let me introduce the staff. Standing at the
21 microphone is Corrie Watterson Bryant. Mark Yango is
22 over there at the computer. I don't know if other -- is
23 Becky here? Yeah. Oh, there's Becky. Okay.
24 So who have I missed?
25 MS. BENNETT: Charlotte.

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1 MR. MUNRO: Oh, Charlotte.
2 I'm now going to turn it over to Corrie for a
3 presentation of the process that the King County Charter
4 Review Commission is going through.
5 MS. WATTERSON BRYANT: First, Council Staff
6 Nick Wagner is here and would like to say a few words.

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7 MR. WAGNER: Thank you very much. My name is
8 Nick Wagner. I'm with the King County Council staff and
9 I just wanted to let you know that council member
10 Dow Constantine would be here to welcome you, but
11 unfortunately he has to be back in Washington, D.C., for
12 a conference on climate control, climate change, along
13 with two other council members so I'm here just to send
14 his regrets. Thanks for coming though.

15 MR. MUNRO: Is it Dow Constantine's fault that
16 it's raining out right now?

17 MS. WATTERSON BRYANT: It's his sister's.

18 Hi. I'm Corrie Watterson Bryant with the
19 Charter Review Commission staff. Just wanted to tell
20 you a little bit about what the charter is. If you're
21 not already familiar with it, it's kind of the
22 constitution for King County government.

23 King County is the first of what's now six
24 counties who operate under what's called a home rule
25 charter and that's something that was permitted by the

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1 state of Washington to allow counties some more latitude
2 in how they govern themselves. Sort of the County can
3 set up any rules that it wants that don't conflict with
4 state or federal or other laws. So, government
5 framework of our county.

6 So the Commission, Allan already told you a little
7 bit about that; 21 members who were appointed by
8 County Executive Ron Sims, and the County Council had a

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9 role to play in that as well. We've been deliberating
10 for a year and a half now. A year and a half?

11 MR. YANGO: A year.

12 MS. WATTERSON BRYANT: A little over a year.

13 So let's -- oh, a little bit about the work that
14 we've done already. So in the first phase of work, the
15 commissioners came out and held meetings, including
16 right here at the Hall at Fauntleroy, to gather
17 information and public comments on what they'd like to
18 see changed about the county charter, took all that
19 information in, and then went into our second phase
20 which is deliberations, lasted about six months where
21 they met in subcommittee, and then finally met in the
22 full commission to deliberate on and vote on the matters
23 that you're going to hear about tonight.

24 So now's the public comment phase and then after
25 this the recommendations of the Commission will go to

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1 the County Council who will decide which of those
2 amendments go on to the public for a majority vote, and
3 any of the public approval will become part of our
4 county charter.

5 So that's about it for this dry information.
6 We're going to move on to discussing the amendments
7 themselves and we'll go back and forth between different
8 commissioners to introduce each of the amendments and
9 after that we'll open it up for public comment.

10 MR. MUNRO: Okay. As things stand now, and there
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11 are going to be some meetings after the second series of
12 hearings is completed, there are eight substantive
13 amendments that we have voted to recommend to the
14 charter. There are six technical amendments, some of
15 which are eliminating transitory provisions from that
16 charter that existed from the day it was originally
17 adopted and for whom -- or for which there is no
18 continuing reason to have those provisions in the
19 charter. We'd like to streamline it.

20 The King County Library System has recommendations
21 that will be in the form of letters to the Council, to
22 the Executive, and the King County Library System board
23 of trustees.

24 So now please give your attention to Mike Wilkins
25 who will describe to you the budget timelines that we

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1 are recommending as changes to the charter.

2 MR. WILKINS: This microphone is working? Can you
3 hear me in the back okay?

4 For those of you who don't have backgrounds of the
5 King County Charter or the County's budget process, the
6 current charter language requires the elected executive
7 to submit to the County Council his proposed budget 75
8 days before the beginning of the next fiscal year. The
9 County Council then is required to review and adopt that
10 budget 30 days before the end of the fiscal year, giving
11 the Council in effect 45 days to review, consider a
12 multimillion-dollar budget. Something that has become

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13 in the minds of most of the County Council members too
14 burdensome to handle in a short period of time, 45 days,
15 particularly given the current movement in the direction
16 of biannual budgeting.

17 The Council asked for the Charter Review
18 Commission to consider an increase in the time period
19 for the review -- excuse me?

20 MR. MUNRO: I think somebody bumped something and
21 it came over the microphone. No intention to interrupt
22 you.

23 MR. WILKINS: -- asked for an increase in the time
24 period for their review and asked -- I don't remember
25 what the initial request was, but eventually the County

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1 Council made a formal request for having a period of 100
2 days before the next fiscal year for the County
3 Executive to submit the budget. The executive budget
4 office counterproposed a shorter time frame, not 90
5 days, and this I'm proud to say is the only instance in
6 which the Charter Review Commission basically split the
7 baby. We saw that the ten-day difference between the
8 Executive's proposal and the Council's proposal was
9 small enough we couldn't come up with a rational basis
10 for picking one over the other. So we picked midpoint,
11 and our recommendation is to have the Executive submit a
12 budget 95 days before the beginning of the next fiscal
13 year giving the County Council in effect 65 days for
14 review.

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15 MR. MUNRO: Now, please listen to Gregg Hirakawa
16 who will describe the citizens' initiative. I thought I
17 was told he was here.

18 MR. YANGO: Gregg's not here. Trisha will be
19 speaking on it.

20 MS. BENNETT: An issue that was raised in some of
21 the hearings that was left here earlier and different
22 organizations, some elected officials, including
23 King County Executive Ron Sims, Council Member
24 Larry Phillips, the King County Democratic and
25 Republican Suburban Cities Association, and

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1 Municipal League of King County, was the fact -- we
2 discussed the initiative process, and King County, the
3 signature threshold had been set at 10 percent and so we
4 discussed that and whether that was high enough because
5 it should be -- when you take a look at changing the
6 charter, the people agree that you need to make sure
7 that can't be done too easily, and so we are
8 recommending that the -- raise the initiative from
9 10 percent to 20 percent, the number of signatures.

10 MR. MUNRO: Does that cover it?

11 MS. BENNETT: That covers it.

12 MR. MUNRO: Now, someone is going to speak on the
13 commission appointment process.

14 MS. WATTERSON BRYANT: Trisha again.

15 MR. MUNRO: Trisha again.

16 MS. BENNETT: I am? Okay.
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17 MR. MUNRO: Trish, you're getting drafted here.

18 MS. BENNETT: I am. I guess so.

19 The issue here is should we clarify the
20 appointment and confirmation process to the Charter
21 Review Commission. Council members were concerned about
22 the integrity of the Charter Review Commission's
23 appointment or confirmation process, particularly
24 because the current Commission did not vote through a
25 formal confirmation process. So the subcommittee

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1 recommended -- the government structure subcommittee
2 voted unanimously to request that the PAO submit
3 language clarifying the appointment and confirmation
4 process for the Charter Review Commission.

5 That's pretty much it.

6 MR. MUNRO: Thank you.

7 You are also going to speak on council action on
8 commission recommendations, and explain what the
9 situation is now and what we've proposed to change.

10 MS. BENNETT: The issue here was should there be a
11 charter amendment that requires the County Council to
12 take action on any proposed charter amendments brought
13 forth by the Charter Review Commission. This was an
14 issue raised by the Charter Review Commission and the
15 people who testified.

16 Currently in Section 810 of the charter, the
17 charter provides for commission -- for a commission
18 review of the charter every ten years. No charter

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19 language exists requiring the Council to take action on
20 such commission recommendations. Each of the other
21 Washington home rule charter counties elects its
22 commission and provides for commission recommendations
23 being placed before the voters. This is not an option
24 in King County because the appointed commission does not
25 have legislative authority to place the amendments on

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1 the ballot.

2 So we suggested the following -- we don't need to
3 go into the language, do we, or --

4 MR. MUNRO: [Inaudible.]

5 MS. BENNETT: Boy, I'm sorry --

6 MR. MUNRO: That's okay. You're stepping in for
7 other people's work.

8 MS. BENNETT: Boy, my brain is not working. Let's
9 see.

10 MR. MUNRO: Mark -- oh, Mike, why don't you go
11 ahead.

12 MR. WILKINS: The recommendation of the Commission
13 is to amend the charter in a way that would require the
14 County Council take some kind of an action of record on
15 the recommendations of the Charter Review Commission.
16 That doesn't necessarily mean that they would have to
17 vote up or down any particular recommendation, but they
18 would have to follow their own adoption rules and
19 Robert's Rules of Order and make a decision that would
20 become part of the public record so there would be some

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21 way of tracking what is happening to the Charter
22 Commission recommendations.

23 MR. MUNRO: The next recommended charter amendment
24 deals with election deadlines, and Kirstin Haugen, come
25 on up. Use the microphone.

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1 MS. HAUGEN: This amendment is very
2 self-explanatory. Currently the deadline is 45 days
3 before an election to put an amendment -- a referendum
4 on charter amendments before the voters. This would
5 allow the King County Council to amend that to a
6 different date. That makes more sense for the
7 King County elections to get everything out, especially
8 military ballots, that take a lot more time to produce.

9 MR. MUNRO: We're also going to have an open space
10 charter amendment, and Terry Lavender will explain that.

11 MS. LAVENDER: All right. The open space charter
12 amendment raises the level of protection on some
13 properties that are already owned by King County, and
14 these are largely the best habitat and biological
15 conservation properties along our rivers and streams
16 that also serve as salmon recovery areas, flood control,
17 drinking water resources, and recreational areas, and a
18 significant number of the properties are also
19 development rights purchases on forestry land, areas of
20 rural forestry.

21 So you can look at the back and there's a map, and
22 the dark color are the lands that are proposed under

23 this amendment, and basically it would require
24 King County to bring to the voters any proposal to sell
25 or no longer own those properties or to substantially

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1 change the use of them. So this is the same protection
2 in King County that's currently on farm lands
3 preservation properties. Those require the vote of the
4 people to remove that protection. And this would add
5 our forestry land base and our areas of highest natural
6 diversity to that level of protection in that category.

7 It doesn't require us to buy new land, but it also
8 doesn't stop us from buying more land. It doesn't
9 change the management of the properties. It doesn't --
10 all of these properties are outside the urban growth
11 area, and there are a number of King County properties
12 that are more in the category of parks that aren't
13 included in this, so but this gives us an extraordinary
14 sustainable land base that you, the people, would have a
15 say as to if King County decided to change ownership or
16 lease those properties.

17 And there's maps on the wall and there's also a
18 book, a couple of books circulating that have the
19 individual properties and maps of the individual
20 properties that are proposed to be part of this
21 amendment.

22 MR. MUNRO: The next issue we were addressing
23 deals with the qualifications of candidates for the
24 independent elected officers.

25 And, Mark, you're going to speak to that?

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1 MR. YANGO: I will speak to that.

2 MR. MUNRO: Okay, go ahead.

3 MR. YANGO: This amendment, proposed amendment to
4 the Council to establish additional qualifications for
5 the position of the assessor and/or elections director.
6 This amendment is intended to provide for a more
7 rigorous process for screening candidates for these
8 positions, particularly positions that are -- like the
9 elections director that currently is going to go up to
10 ballot to vote on whether to be an elected or appointed
11 position.

12 MR. MUNRO: And then another subject is the
13 regional committees, and Gary Long is going to describe
14 the proposed charter amendment.

15 MR. LONG: The County Council requested some
16 amendments on regional committee corresponding with the
17 reduction in number of County Council members a few
18 years back. So with that, the Cities of Seattle,
19 Bellevue, Suburban Cities Association, and the
20 representatives of the County Council met, and Mike
21 Wilkins and I on behalf of the Charter Commission worked
22 with those parties to come up with what is pretty much a
23 consensus, with the exception of one issue. It reduces
24 the number of County Council members on committees, but
25 it does provide that they retain two votes so the

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1 balance of the voting is the same. A chair is
2 designated by the County Council and a vice-chair by the
3 remaining members. There's representation opportunities
4 now for the sewer districts that are served by
5 King County Metro through -- in Snohomish County. There
6 is a process in place for how the work program is
7 developed by each of the committees and approved by the
8 committee, and the committee would give an additional
9 clarifying authority to initiate motions and ordinances.

10 I said this was pretty much a consensus. The
11 parties agreed with the exception of Bellevue who wanted
12 their own seat to be named in the charter, and that was
13 the only issue that was really one that did not come to
14 a successful conclusion, but Suburban Cities and Seattle
15 have said they will support the charter amendments as
16 they've been proposed.

17 MR. MUNRO: Thank you, Gary. There are also some
18 issues dealing with the sheriff's office now that it's
19 an independent elected office, and Bryan Glynn will
20 describe those proposed changes.

21 MR. GLYNN: Thank you.

22 This amendment to this issue cluster, I'll call
23 it, was one of the most difficult challenges the
24 Commission has had to deal with. It deals with the
25 relationship between elected officials, chairmen, and

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1 other elected officials who head the Charter departments
2 with the executive concerns of collective bargaining and
3 management of the workforce. This is an issue that
4 we're frankly divided on and we have had frank and open
5 discussions among the Commission. The recommendation is
6 to try to give some recognition, effective recognition
7 to the role of elected officials in bargaining and
8 personnel management in their departments to which
9 they're accountable, while at the same time maintaining
10 balance, discipline, integrity in the system. We do
11 this by a charter and it just simply states -- and it's
12 not in the charter or anywhere else, but these elected
13 officials be given effective participation in
14 bargaining, collective bargaining agreements with
15 represented employees.

16 we supplement this with an ordinance that spells
17 out what "effective participation" means because
18 [inaudible] the first requirement that the executive is
19 a bargaining agent. Use the term "agent" advisedly.
20 Consult with the elected officials about the topics of
21 bargaining, give due consideration for their objectives,
22 then report in writing if the executive chooses not to
23 bargain an issue that is desired by elected officials.
24 We think this is adequately balanced and transparent to
25 the process and it allows, since it's an ordinance, for

1 adjustments if things don't work out as we hope they do
2 down the road.

3 MR. MUNRO: Thank you, Bryan.

4 The next charter amendment that we are at least
5 tentatively recommending is -- deals with unincorporated
6 and rural area representation. John Jensen's not
7 present. Terry, you're going to handle that?

8 MS. LAVENDER: Yes, I am.

9 MR. MUNRO: Terry, take the ball.

10 MS. LAVENDER: Thank you.

11 Forty years ago when this charter was first
12 adopted, King County was largely the local service and
13 local government provider for most of the citizens and
14 it has evolved over the last 40 years to a regional
15 government providing a lot of regional services, but it
16 is still the local service provider and the local
17 government for the rural areas and unincorporated areas
18 of King County, which is where I live. And the charter
19 doesn't really recognize that dual role currently.

20 So what we're proposing is some fairly simple
21 language be added to the preamble that recognizes that
22 they have accountability for local and regional county
23 governments and services and also that -- the idea to
24 preserve a healthy urban and rural environment and
25 economy. So those few words are inserted within the

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1 preamble to recognize that dual role.

2 And then in the section that states the duties of

3 the Council, language will be added that says it is the
4 duty of the Council to designate within the
5 administrative offices or executive departments a
6 structure or structures with the power and
7 responsibility to serve unincorporated King County. And
8 then under the duties of the executive, it states that
9 the executive shall appoint a high-level official within
10 their office whose job it is to pay attention to local
11 services, local governments. So it recognizes that dual
12 role of the County within the charter.

13 MR. MUNRO: Thank you, Terry.

14 Also, there is an antidiscrimination amendment
15 which Sharon Maeda will discuss.

16 MS. MAEDA: It's primarily a housekeeping matter
17 to make the inclusive language conform to other language
18 and other regulations. So it's to prohibit
19 discrimination based on sexual orientation in county
20 employment and contracting.

21 MR. MUNRO: Thank you, Sharon.

22 Now, budget allotments, Becky, you're going to
23 handle that?

24 MS. SPITHILL: Yeah, these are some of the
25 technical amendments that the Commission considered and

1 that were not particularly contentious. So budget
2 allotments was considered a technical amendment because
3 it's a system of bookkeeping and keeping track of
4 budgets in the county that's obsolete. So there was

5 agreement between Council and the Executive that this
6 was no longer needed and that would be stricken -- it
7 was recommended that it be stricken from the charter.

8 The second technical issue was transitory
9 provisions which Mr. Munro spoke to already.

10 And then the other issue is King County Library
11 System. And if John Jensen was here, he'd probably
12 speak to this, but what this involved was an issue that
13 was a great deal of importance to many citizens in
14 especially unincorporated King County, and because it
15 couldn't be addressed in the charter, it was all pretty
16 much a matter of state law. There were certain things
17 that the Commission felt the Council, the Executive, and
18 [inaudible] Board of Trustees could do in order to
19 include the effectiveness of the operation of the
20 Library System. So they have drafted -- the Commission
21 has drafted letters that will go to each of those
22 parties as part of the recommendations of the Charter
23 Review Commission.

24 MR. MUNRO: Thank you. That concludes the
25 presentation on the proposed amendments that the Charter

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1 Review Commission has voted, like I say, at least
2 tentatively to present to the King County Council, and
3 I'm going to open this for a public response.

4 I have here a sign-in sheet and people have
5 indicated a Y or an N whether they wish to speak, but
6 I'm going to interrupt that just briefly because the

7 mayor of, I assume, Auburn is here, Pete Lewis. At
8 least he indicates he's the mayor and -- I knew your
9 predecessor. I'm sorry. If you have something to say
10 about any of the issues that have come up so far or
11 maybe something that we failed to take up, you have the
12 floor.

13 MAYOR LEWIS: Well, thank you very much and good
14 evening. Yes, I am Pete Lewis, the mayor of Auburn.
15 Duly elected. And I'm also the vice president of
16 Suburban Cities Association, and as -- in my role as the
17 vice president of Suburban Cities, we did have some
18 comments that we wanted to put before you.

19 we first of all appreciate the ability to testify
20 on the proposed amendments on behalf of Suburban Cities
21 Association. It provides information, education,
22 efficacy on behalf of its 35 member cities.
23 Collectively, member cities represent approximately
24 785,000 King County residents or 53 percent of the
25 population of incorporated King County. Now,

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1 Suburban Cities is pleased to be invited to participate
2 through the review process of the King County Charter.
3 Its members have been very complimentary of the
4 inclusive process of the Commission's work, and we thank
5 you very much.

6 Early in 2007 SCA formed a work group to draft
7 Suburban Cities' recommendations for amendments to the
8 King County Charter. Those recommendations were better

9 than our Public Issues Committee where at least 25
10 cities come together on a monthly basis. The
11 Suburban Cities board of directors acted on the work of
12 the public issues committee, and on September 20th of
13 this last year forwarded the recommendations to the
14 Charter Review Commission.

15 The issues of Suburban Cities were grouped into
16 four subject areas: Annexation and transition, regional
17 committees, countywide special purpose districts, and
18 good governance. Recognizing the Commission had a
19 limited amount of time to address their many issues
20 before us, it was pleased that so many of the issues of
21 Suburban Cities were included in the area of good
22 governance and regional committees. Although the
23 Commission's proposed amendments to the charter
24 regarding regional committees do not necessarily
25 correspond to the original recommendations of SCA, we

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1 feel much progress was made and appreciate the efforts
2 of all parties involved. And therefore Suburban Cities
3 wholeheartedly supports the recommended amendments for
4 regional committees.

5 Under the heading of good governance, SCA
6 recommended that there would be urban unincorporated
7 transitional committees in urban unincorporated areas.
8 We felt that the charter did not intend for there to be
9 any kind of government structure for the urban
10 unincorporated areas, but the transitional committees

11 were a good move. Suburban Cities feels that the
12 compromise reached with the office of the King County
13 Executive and the County Council has resulted in the
14 proposed charter amendment but may address our concerns.

15 Suburban Cities also recommended the charter
16 review process should be amended so that the
17 recommendations of the Commission must be submitted to
18 the voters as drafted by the Commission. This new
19 provision will strengthen the role of the Charter Review
20 Commission. It will guarantee that the work of the
21 Commission will be reviewed by the voters. The proposed
22 amendment, as you mentioned, to the charter would
23 require the County Council to review and take action on
24 all Charter Review Commission recommendations. We feel
25 that's a step in the right direction.

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1 The Commission's proposed amendment on the
2 citizens' initiative somewhat responds to the
3 Suburban Cities' recommendations that the citizens
4 should be permitted to amend the charter through a
5 citizens' initiative process by means of a super
6 majority vote. This option creates a more responsive
7 government which allows the public to submit charter
8 amendments to the voters through the initiative process.

9 Suburban Cities appreciates the many, many hours
10 that the volunteers committed to the charter review
11 process. We believe the results were well worth the
12 effort and will encourage the County Council to review

13 and act on the recommendations as written. Thank you
14 very much for all the hard work you've done. We
15 appreciate it.

16 MR. MUNRO: Thank you, Mayor Lewis. I think the
17 thanks really go to Mike and Gary here for extensive
18 effort.

19 MAYOR LEWIS: We know them both and we know
20 they're both hard working.

21 MR. MUNRO: Then I'm going to start the talk. I
22 think it's Marsha Betzer. And I hope I pronounce your
23 name correctly.

24 MS. BOTZER: Very close. Very close. Thank you.
25 I'm Marsha Botzer and I thank you ever so much,

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1 all of you on this Commission, for your hard work and
2 commitment to equal rights. [Inaudible.] We really do
3 appreciate the amazing work you're doing here.

4 I want to speak today to the question of adding
5 "sexual orientation," and also which incidentally you do
6 understand, I do understand that the rights are already
7 there, that we have those, but I want to speak and make
8 a recommendation that the words "gender identity and
9 expression" be considered as words to be added to this
10 section to make this section a little clearer, and I'll
11 tell you why here in a moment.

12 I just wanted to mention that I'm the founder of
13 Ingersoll Gender Center, which for 30 years now here in
14 Seattle has served thousands and thousands of

15 transgender and gender-variant folks. So pretty
16 involved with that. Also, I was co-chair of the
17 National Gay & Lesbian Task Force. During the time that
18 we had that, we started our transgender civil rights
19 project, which is one of the largest in the country
20 regarding these issues, and I'm a founding board member
21 of Equal Rights Washington and we have a great interest
22 in these issues, and also the current chair of
23 Washington Transgender Equality Project which is also a
24 [inaudible] Washington.

25 You know, there's a public and legal understanding

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1 of sexual orientation, but over the last decade in
2 particular researchers and folks in the law have --
3 certainly understand that the concept of sexual
4 orientation and the concept of gender identity is the
5 standard and once, ten years ago perhaps, when sexual
6 orientation was a primary term, it was understood to be
7 inclusive of gender identity, but because language
8 referring to gender identity has been refined and tested
9 in legal systems as well as legislature, now we find
10 that the best language, the most inclusive language for
11 the purpose of legal documents and for recognizing the
12 social and biological realities of gender identity is
13 the term "gender identity and expression."

14 And incidentally, Washington and our area is a
15 real leader in these matters, believe this or not. I
16 mean, goodness sakes, it's quite interesting, I think

17 see -- what you think -- that we actually started out
18 here in 1986, Seattle passed some gender identity
19 inclusive language. The area passed some in, let's see,
20 2004, Olympia in 1997, King County in 2006, and
21 nationally there are 13 states that have language that
22 are inclusive to gender identity of the kind that I'm
23 proposing to you.

24 There's 105 city council laws around the
25 country -- 37 percent of the country that's covered by

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1 this language or these kind of languages in this
2 industry is over 30 percent of the Fortune 500 we have
3 language in place that support gender identity. I
4 wanted to mention these things and the fact that Boeing
5 and Microsoft, Nordstrom's, Washington Mutual and
6 Starbucks and many others in this state use this kind of
7 language, that it's not something just I bring to you
8 first hatched out of my brain. It is in fact there in
9 the world, and there is the inclusive language that's
10 actually being tested around this country since 1975,
11 '75, when such gender identity inclusion language was
12 passed in Minneapolis.

13 And so I just want to say that during all these
14 years through all these experiences we have had the
15 tests and the trials for this language. There have been
16 no outbreaks of misused laws or enterprises being harmed
17 by using the language "gender identity and expression."

18 So I suggest that the time really is now to

19 upgrade the language and to include the best practices
20 and the best thinking around gender identity, and that's
21 why I'm asking you to consider "gender identity and
22 expression" in the revised charter. The best language
23 is certainly going to bring the best results and it's
24 going to protect the people of our state, all the
25 citizens of the state actually will be protected, but

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1 specifically, obviously, King County can be a leader
2 once again in this language.

3 Thank you ever so much.

4 MR. MUNRO: Before you leave, have you given the
5 exact language that you are recommending to the staff,
6 to Mark Yango or Corrie here?

7 MS. BOTZER: Washington [inaudible] and
8 Equal Rights Washington is preparing that language and
9 we definitely will have it to you.

10 MR. MUNRO: Thank you.

11 MR. FRIEDES: Good evening. My name is
12 Josh Friedes. I am the advocacy director for
13 Equal Rights Washington. I want to thank this
14 Commission for its fantastic work and through you to the
15 Council for King County's incredible leadership in
16 protecting the gay, lesbian, bisexual, and transgender
17 community of King County.

18 What I want to do is really follow up on what
19 Marsha just said, is that when we started getting notice
20 of these hearings, I started getting a lot of phone

21 calls and emails from people who are very, very
22 concerned that King County was about to consider charter
23 revisions that would exclude the transgender community
24 and I asked what is happening, what does this mean here,
25 and I got all sorts of feedback and ultimately what I

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1 concluded is that the definition of sexual orientation
2 in some of King County's -- most of King County's
3 ordinances is inclusive of gender identity, but this
4 creates an enormous problem because what I think we want
5 in our organic document, in our charter, in our
6 constitution is plain, common language that anybody can
7 understand. And the term "sexual orientation," if it
8 once did, certainly no longer in most people's minds is
9 inclusive of gender identity. Certainly not within the
10 mind of, I think, the LGBT community.

11 So what we feel is very important is that the
12 language in the charter be clear and so the language
13 should be sexual orientation, gender identity, and
14 expression. This is going to, I think, in the long run
15 reduce any type of problem because what we're trying to
16 say through the charter and through our ordinance is,
17 employers and workers, you should know your obligations
18 and your rights. And right now if a person looks at the
19 charter, or some of our ordinances for that matter, how
20 are they to know that gender identity and expression are
21 covered? Because it's just not clear.

22 And I think we're at a point in our society -- I

23 think we have to understand what happened, certainly
24 why, why is it that we originally passed laws and
25 ordinances which had a definition of sexual orientation

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1 which included gender identity, and the fact is that
2 there was a great deal of animus towards the transgender
3 community and it just simply was not possible,
4 unfortunately and very sadly, when we started this
5 process to be as transparent, to be open and honest as
6 we would have liked to have been, but people, everybody
7 of course deserves the dignity to which, you know, we
8 are all entitled as our birthright.

9 So initially there was a trend to include gender
10 identity within the definition of sexual orientation, to
11 provide some basic protections to the transgender
12 community, but now we've gotten to a point in our
13 society where we need to have a more open conversation
14 about gender identity and expression if we are not going
15 to have the prejudice that this community sees.

16 So we ask you to include the term "gender identity
17 and expression" and, if necessary, some ordinances may
18 have to be amended, but the charter should be clear that
19 in King County we protect on the basis of gender
20 identities and sexual orientation.

21 Thank you.

22 MR. MUNRO: Wait. You have a question here from
23 Sharon.

24 MS. MAEDA: I certainly embrace the intent of what

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25 you're saying. I have a question.

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1 We were asked to conform the language to existing
2 county code and state law. So I assume that those say
3 sexual orientation and don't go further than that, or do
4 they go further? And if they don't go further, how
5 do -- at what level does all that other correction
6 happen?

7 MR. FRIEDES: Bingo. You just have hit the
8 problem. Most of the ordinances -- and there is another
9 person here, Spencer, who can speak more intelligently
10 on this than I can. But most of our ordinances now do
11 contain in the definition of sexual orientation gender
12 identity. The problem is, people aren't aware of this
13 and that is -- that is, what good are these laws, what
14 good are these protections if people don't know they
15 have these rights and if employers and contractors don't
16 know they have these obligations.

17 I mean, what we want to do ideally is have a
18 situation where everybody is treated with dignity and
19 respect. We also want to provide necessary litigation
20 so that employers and contractors should know that they
21 can't discriminate on the basis of gender identity and
22 expression, but they don't know that because if you read
23 the charter which only says sexual orientation and if
24 you read a lot of the ordinances they say sexual
25 orientation. You have to go -- you know, you have to go

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1 hire an attorney to find out what is the definition of
2 sexual orientation.

3 So I think what we have to do is get to a point
4 where we say we need to be explicit and clear that what
5 we need to do in King County is protect all citizens and
6 all workers and because we know that there is a problem
7 unfortunately in our society, we need to be clear is we
8 do not discriminate on the basis of sexual orientation,
9 we do not discriminate on the basis of gender identity
10 and expression, and it's time to be clear that gender
11 identity and expression are not the same thing as sexual
12 orientation.

13 You know, some people realize this and I think
14 some people don't, an awful lot of people who are
15 transgender are not gay, lesbian, bisexual with respect
16 to whom they choose to, you know, make their life
17 partner. And part of what we're seeing today I think is
18 the problem that the use of this one term sexual
19 orientation is confusing people and preventing us from
20 going forward and having a conversation about gender
21 identity and the needs of the transgender community.

22 MR. MUNRO: Thank you very much.

23 MS. MAEDA: Thank you.

24 MR. MUNRO: Spencer Bergstedt, are you -- yeah, I
25 see you. You have the floor.

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1 MR. BERGSTEDT: Thank you. I have to lower this a
2 little bit. Thank you and thank you for taking the time
3 that you do to do this work. I certainly know that it
4 takes time out of your lives to do this important work
5 and takes away from your family and your businesses and
6 it's incredibly important what you're doing.

7 My name is Spencer Bergstedt. I'm an attorney. I
8 practice here in King County and in Snohomish County.
9 I'm also here speaking on behalf of Washington
10 Transgender Equality Project and also the Transgender
11 Law and Policy Institute which is a national think tank
12 made up of attorneys who are either transgender
13 themselves or who do work for the transgender community.

14 And to echo both Ms. Botzer and Mr. Friedes'
15 comments, largely what we're asking for here by adding
16 the language to sexual orientation, sexual orientation
17 and/or gender identity and expression, is that need to
18 have clarity. And I'm going to make an argument that's
19 a little bit odd for an attorney. I'm asking you to do
20 this to prevent more lawsuits from happening in
21 King County, which I recognize is a somewhat odd
22 position for an attorney to take, but if as Joshua
23 mentioned, if we use only "sexual orientation" as the
24 terminology of the [inaudible] discrimination, in this
25 day and age within the GLBT community sexual orientation

1 means that you identify as gay, lesbian, or bisexual.

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2 It does not mean you identify as transgender. Gender is
3 separate and apart from your sexual orientation, and
4 many of us who are transgender identify as being
5 heterosexual and so we don't see ourselves in that
6 phrase.

7 So the argument could be made that, well,
8 historically we've seen sexual orientation as being
9 inclusive language and including gender identity and
10 expression, but if you're the average layperson who's
11 looking at the King County Charter and you are looking
12 at King County ordinances and you're trying to see
13 yourself in that language and whether or not that law is
14 applicable to you, if you are a heterosexually
15 identified transgender person, you're not going to
16 necessarily look under sexual orientation and you're
17 going to wonder am I covered under this law.

18 well, we can look at that as a term of legal art.
19 And unfortunately, the position that many people find
20 themselves in is that they've been fired from a job on
21 the basis of their gender identity or expression and now
22 they're in a very vulnerable position, often can't hire
23 an attorney, can't pay for the court costs involved with
24 bringing a lawsuit to even find out whether or not
25 they're covered under the charter or the ordinances that

1 might apply. So rather than leaving that question to be
2 determined by the courts at a later date, that's at an
3 exorbitant cost often for the litigant, what I'm asking

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4 you to do is have clear language in the charter, amend
5 those portions of the ordinances that need to be amended
6 to be in compliance with the charter, but make it
7 explicit, make it clear that gender identity and
8 expression are included in the antidiscrimination
9 policy. Thank you.

10 MR. MUNRO: I have a question for you.

11 MR. BERGSTEDT: Sure.

12 MR. MUNRO: I do a lot of employment law, although
13 I don't remember doing any law in this specific area in
14 cases. I am surprised because tonight's the first I've
15 heard that the term sexual orientation did not include
16 these other considerations. Are there no cases
17 interpreting sexual orientation in relation to gender
18 preference that have been ruled on in this state?

19 MR. BERGSTEDT: Not in this state, but there
20 certainly are cases in other states where courts have
21 found that sexual orientation does not include gender
22 identity or expression. And so while -- you know, if
23 you look at the statewide antidiscrimination law, for
24 example, there is a definition section where it
25 explicitly states what sexual orientation means. So

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1 another alternative would be for there to be a
2 definitional section within the charter that defines
3 explicitly what is included in sexual orientation,
4 mirroring the language that currently exists in the
5 Washington law against discrimination.

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6 Even though gender identity and expression, and
7 it's actually stated in that way within that
8 definitional section, it says gender identity and
9 expression, is not a stand-alone definition, at least
10 it's made explicit that that is included under the
11 definition of sexual orientation. So there's kind of
12 two ways that you can go with it, but certainly making
13 it clear that that coverage is there for people who are
14 transgender is important.

15 MR. MUNRO: Other questions?

16 MR. LONG: This is a new thought to me. When we
17 worked this through, we thought we covered transgender
18 people, but now that I think about it and hear you all
19 speaking tonight, I can see that there's a difference
20 that we need to consider addressing. You suggested that
21 we do a definition in the charter that tracks state law
22 and in the alternative change sexual orientation to the
23 language you suggested. Which do you think is
24 preferable?

25 MR. BERGSTEDT: I actually think what our

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1 suggestion is in terms of changing the language to
2 sexual orientation and/or gender identity and expression
3 is the best way to go. It makes it abundantly clear
4 [inaudible] to some extent in a definitional section,
5 makes it very clear for people as they're accessing the
6 documents to be able to see that that's what's covered.

7 MR. MUNRO: Mike, you had a question.

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8 MR. WILKINS: Just one follow-up question. Have
9 you pursued with state legislature clarifications of
10 state law? I realize statewide this could be a much
11 more sensitive issue, much more difficult to deal with
12 than King County.

13 MR. BERGSTEDT: And I think you've hit the nail on
14 the head. I think the language that currently exists in
15 the Washington law books, discrimination was largely a
16 compromise on the part of our legislature to be able to
17 pass the law.

18 MR. MUNRO: Thanks very much.

19 Now there's Aidan Key who wanted to speak.

20 MR. KEY: Hi. My name's Aidan Key and thanks for
21 having me here. I'm a citizen. I was interested to
22 discover that that had -- seemed to have its own title
23 here. So I'm a citizen.

24 And not to beat a dead horse around the gender
25 identity and sexual orientation issue, I do work with

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1 children around this very topic. So I go into schools,
2 primarily elementary schools, and talk to these kids
3 about what it means to be a boy, what it means to be a
4 girl, what kind of activities you get to do, what kind
5 of clothing you get to wear, and to hear these children
6 articulate these concepts, they really get it.

7 It's very clear to them that gender identity is a
8 separate topic because we're not going in there and
9 talking to children about sexual orientation. They're

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10 not there yet. You know, we're hitting high schools,
11 sure, we'll chat about that, but gender identity is
12 something that we all have, and some of what can be
13 problematic around this and confusing is that gender
14 identity and sexual orientation are so often lumped
15 together in a way that makes it difficult to -- well,
16 what are we talking about, who are we protecting, who
17 are we not.

18 So these kids get it. They really get it and they
19 understand the ways that they're discriminated against
20 based on their gender, if that means it's a boy who
21 feels like he has to hold back and not cook with his
22 grandmother anymore because that's a girl activity. And
23 on and on. The examples are incredible and the
24 parallels that they pull out are very simple.

25 So the inclusion of this language, the gender

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1 identity, is something that my point is that children
2 can understand. It's very simple. It's very clear.
3 Gender identity is something that heterosexual people
4 have. They have a gender identity. They might fit in
5 with the norm, whereas someone who's transgender does
6 not fit in with the norm, but if they have a gender
7 expression that is somehow interpreted by an employer as
8 an indicator of their sexual orientation, it may be
9 accurate; it may not. So the language of gender
10 identity can protect your -- I don't want to say
11 average, but average heterosexual person as well, and so

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12 that's just my point around that. And thanks for your
13 time. Appreciate it.

14 MR. MUNRO: Thank you.

15 Richard Anderson Connolly.

16 MR. CONNOLLY: Hi. It's nice to see the
17 commissioners again. I saw a number of you when I spoke
18 before the Governmental Structure Subcommittee and so I
19 know some of you. I spoke at that time and I'm speaking
20 here again as the president of Instant Runoff Voting in
21 Washington, and this is something that was considered
22 but you're not going to put it forward.

23 I'm going to urge you to reconsider that, but
24 first, something has come up since last we talked and I
25 guess I should point out that I had assumed I only had

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1 three minutes. So I have a very quick lecture so you're
2 all very lucky otherwise, but so let me do a very quick
3 mini lecture on something I didn't talk about last time
4 which was the surprising court decision, the successful
5 appeal reinstating the top two.

6 And I'd like to say a couple words -- and that's a
7 system that will be used I suppose now in King County.
8 You'll probably go back to the default. The top two has
9 a couple of advantages I think we could point out. One
10 is that it's a majority rule system which our old system
11 wasn't and there's still a possibility to have
12 nonmajority winners get elected. It also gives citizens
13 more control than I think they had under the

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14 pick-a-party, although it kind of depends on how you
15 define it.

16 There's certainly a greater, I think, sentiment
17 that there's more citizen control of it and presumably
18 it's legal the way in which the courts are allowing
19 people to self-identify as a member of a particular
20 party and then perhaps for the parties to say somebody's
21 an official nominee of some sort.

22 So I think those are the advantages, but those
23 aren't, I think, maybe all of the things you might look
24 for in a voting system, and in fact, ranked choice
25 voting, as we call it here in Pierce County, or instant

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1 runoff voting has all those advantages, which, it's a
2 majority rule system, it gives citizens a lot of
3 control, and it's also legal. It's been tested in not
4 just other states, but in fact if you go back, in 1908,
5 there was a court case in Washington state we actually
6 used second choice voting back 100 years ago. And it's
7 been ruled legal in Washington state.

8 But there are a couple of advantages that we won't
9 have with the top two that you could pick up if you
10 moved to ranked choice voting. One of these is simply
11 more choices. The top two means just that. There will
12 be two choices. And, you know, the worst-case scenario
13 I guess is they're two people of the same party, but
14 even under the best-case scenario, a Democrat and a
15 Republican, if that's the best-case scenario, that still

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16 limits your choice and I think parties play a useful
17 role in our system, but two is only two. There are
18 going to be a certain number of issues that are simply
19 not going to be covered in an election where the two
20 parties don't even disagree. And not to mention if you
21 have two of the same. Third parties are -- we mostly
22 just eliminate them, and so areas where the two parties
23 agree just more or less disappear at the general
24 election, which of course is the more important of the
25 two, primary and general.

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1 Another problem that ranked choice voting would
2 solve is gaming, gaming the vote. What you may see is
3 at the primary -- and of course I mean at the primary
4 level. But it's possible that the top two finishers are
5 not really going to be the most preferred two. One way
6 of doing this is by flooding a particular side, Democrat
7 or Republican. It's probably by the other side flooding
8 it, trying to split the vote at the primary and sending,
9 in a sense, the wrong people forward.

10 That won't happen with ranked choice voting and I
11 won't explain it because we talked about that in the
12 subcommittee, but again, by the way the algorithm runs
13 you're not going to have this sort of potential for
14 being -- and a couple of other advantages you pick up
15 are turnout. One is, I guess an easiest way to state
16 that there's going to be higher turnout is with ranked
17 choice voting the decision is made in one general

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18 election race. Under our current system, where there
19 are the most candidates is when there are going to be
20 the fewest voters in August, which is a terrible time to
21 hold an election and so you're going to have a much
22 higher turnout if you do it all in a general election
23 with ranked choice voting.

24 And another advantage might be the efficiency
25 consideration. That is, the cost of a primary you could

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1 save -- San Francisco has been doing this for a number
2 of election cycles and they've already paid it off, the
3 transition cost of moving to ranked choice voting. So
4 those are the advantages you can pick up by moving to
5 ranked choice voting as opposed to simply staying with
6 the top two system despite what -- you know, some
7 advantages you might have here.

8 And I just want -- one of my final couple of
9 comments deal with the reasons why the commissioner --
10 the Commission decided not to send this forward. One
11 reason is that the King County elections department is
12 undergoing significant changes such as the transition to
13 all-mail balloting. I was involved with the -- I wasn't
14 a member of the Charter Review Commission, but I spoke
15 to the Charter Review Commission in Pierce County and I
16 was part of that campaign. We heard this as well from
17 the Pierce County Commission. They said it was not a
18 good time and their reason -- this was in 2006 and they
19 would say 2008 would not be a good time because we're

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20 going to have a presidential and a gubernatorial
21 election and other sorts of things, but what also
22 strikes me is that our auditor actually after it was
23 approved went to the Pierce County Council and said,
24 let's move to all-mail balloting because it will make it
25 easier to do ranked choice voting. So in fact if you're

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1 moving to all-mail, that doesn't make it harder, that in
2 fact it makes it easier, according to Pat McCarthy, our
3 auditor.

4 And then the final point is that the Commission
5 also suggests that you would monitor Pierce County's
6 implementation and revisit the issue at a later time. I
7 fear that a later time might be ten years is a later
8 time which is waiting quite a bit, but more importantly,
9 there really isn't that much that King County can learn
10 from Pierce County because we have different software
11 managers. Pierce County was able to learn from
12 San Francisco because we have the same vendor there, but
13 we don't -- in King County you won't learn that much
14 from us. You could borrow certainly educational
15 materials, but those are out there in plenty of places
16 right now, but your vendor also is doing ranked choice
17 voting in Cambridge, Massachusetts, which has had the
18 longest running ranked choice voting in the state and
19 also in Burlington, Vermont, just had a successful one.
20 So there is much you can learn. You can learn from
21 other places that are already doing it.

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22 So I urge you to reconsider, although I understand
23 this is a difficult territory [inaudible] you.

24 MR. MUNRO: Thank you. Any questions? Hearing
25 none, Denise Smith.

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1 MS. SMITH: Thank you very much. I am Denise
2 Smith. I am president of the Seattle League of Women
3 Voters. I am here this evening with Becky Cox who is
4 the president of the South King County League of Women
5 Voters. And I would like to give a response to the
6 proposed amendments from the League of Women Voters.

7 Before I start, I must tell you that when we take
8 a stand on something to support something, we do it from
9 a set of positions or principles that have been
10 developed over the years and so that's how we are
11 looking at the amendments here this evening.

12 The League of Women Voters of Seattle and the
13 League of Women Voters of King County have supported the
14 home rule charter free of statutory law for quite a
15 while. We believe the King County metropolitan
16 government should have public involvement as a core
17 value. We commend you for your participation on the
18 committee in this charter review process and we would
19 like to submit the following comments on proposed
20 amendments.

21 The League believes that all levels of government
22 share the responsibility to provide equality of
23 opportunity for education and employment and housing for

24 all persons regardless of race, color, gender, religion,
25 national origin, age, sexual orientation, or disability.

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1 we support adding the sexual orientation to the classes
2 protected from this -- from discrimination with all due
3 deference to learning experience this evening.

4 The League also believes that all levels of
5 government share the responsibility to provide -- excuse
6 me, I'm sorry, the leagues of King County support
7 measures that provide ways for citizens to amend the
8 charter. We support the charter in due process, but we
9 agree there must be a clear, consistent, and open
10 process for appointing and confirming the Review
11 Commission members.

12 we also have a long-standing position that charter
13 review recommendations to the Council should be placed
14 automatically on the ballot. This position was
15 developed in response to the concerns shared by the
16 Commission in your report and -- that amendments are
17 ignored by the County Council. We support the amendment
18 that the Council be required to act on recommendations
19 as a possible solution to the Council's past
20 pick-and-choose approach to the Commission's amendments.

21 The League of Women Voters of Washington support
22 establishing priorities for open space that are based on
23 the character and needs of the population. We support
24 the amendment providing additional protection over open
25 space land owned by the County acquired for their high

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1 conservation value.

2 we also support a system of clear, fixed
3 responsibilities, and jobs that require technical skills
4 we believe should be appointed. Since the office of
5 assessor and/or director of elections may become an
6 elected position before the next Charter Review
7 Commission, we support the amendment that minimal
8 qualifications be required for this increasingly
9 technical position as they are for sheriff.

10 The League supports a countywide policy-making
11 body with legal authority to establish policy for the
12 functions which require areawide solutions. We
13 understand quite well the importance of regional
14 planning and governance for some of our most important
15 issues. We support the efforts that the Commission has
16 taken to enhance the effectiveness of these committees.

17 And finally, in light of the recent campaign
18 financing reform at every level of government
19 recommended with passage of ESSB 5278 by the state
20 legislature, we recommend that the Commission address
21 public financing and campaigns for King County office
22 during this review session. We believe the Commission
23 has an opportunity to influence this important reform
24 within King County.

25 And once again we thank you all for your time and

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1 effort for participating in this process and we applaud
2 you for your accomplishments. Thank you.

3 MR. MUNRO: Thank you. Any questions?

4 Denise, did the League of Women Voters discuss
5 this issue of the bargaining authority of the
6 independently elected officials being the sheriff and
7 the assessor?

8 MS. SMITH: No, we did not.

9 MR. MUNRO: Thank you. Julie, I think it's
10 Enevoldsen. I hoped I pronounced it correctly.

11 MS. ENEVOLDSEN: Not too bad. Julie Enevoldsen.

12 And I came to thank you very much for all your
13 hard work and particularly pleased with the open space
14 initiative, but the issue I want to address is one that
15 you've left off, and that is the ranked choice, the
16 runoff voting.

17 Many years ago when I had several opportunities to
18 vote in many elections, I began to notice a pattern,
19 which was that my vote consistently and frequently did
20 not accurately represent my true opinions because of the
21 plurality system of voting that we have. I very often
22 had to make a choice did I want to put my vote on the
23 candidate who was likely to win or throw away my vote on
24 a candidate that I really agreed with. So it became
25 evident to me that we didn't quite have as democratic a

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1 system as we might have and I began to research voting
2 systems at that point and it became very clear to me
3 quite soon that the ranked choice systems in general
4 improved democracy, if you define democracy as
5 representing the will of the government, because they
6 allowed more opportunity to express that will. That was
7 20 years ago.

8 So I'm a little frustrated that you would choose
9 to put it off for possibly another ten years, especially
10 given that you're raising the bar for citizen initiative
11 to change the charter. I think the time is past. We
12 should be doing this now and we'd be missing a golden
13 opportunity if we didn't take this opportunity to make
14 our elections a lot more democratic. Systems are very
15 simple. My elementary students can understand them.
16 They can understand why they work better. So I don't
17 see that there's any difficulty in that.

18 Let me see if there's anything else I wanted to
19 say. I think that's -- oh, the reason that you gave for
20 putting this decision off that the elections
21 commission -- the elections are undergoing -- have
22 various things that they're dealing with now like the
23 transition to all-mail balloting, I don't really see
24 that as a valid obstacle. Yes, I realize that people
25 may have a lot on their plates, but there's no reason

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1 that you couldn't if it were absolutely necessary put

2 forward an initiative that would simply set a later date
3 for implementation once the rest of the issues were
4 resolved.

5 MR. MUNRO: Any questions?

6 Thank you very much.

7 Now we have Matthew Pfeiffer.

8 MR. PFEIFFER: Hi. So my name's Matthew Pfeiffer
9 and I'm a local high school student and I'd like to urge
10 you today like others to recommend the adoption of
11 instant runoff voting or ranked choice voting because
12 it's a vastly more democratic system that allows voters
13 to vote their hopes and not their fears and elect the
14 politicians they actually want.

15 As a recently registered voter, I've started to
16 look into our democratic system and I've learned that in
17 many ways it's not very democratic at all. All too
18 often elections become votes between the lesser of two
19 evils. It's vitally important that the government
20 represent the views of the people. If we believe in
21 democracy, then we must adopt instant runoff voting now.
22 You can't keep putting it off. Thank you.

23 MR. MUNRO: Any questions?

24 Jody, I think it's Grage?

25 MS. GRAGE: Grage, yes. Thank you. Very good.

1 MR. MUNRO: I'm getting better.

2 MS. GRAGE: I want to talk about democracy. I'm a
3 retired school teacher and to my mind, one of the

4 hallmarks of democracy is voting and I'm appalled at the
5 embarrassingly low percentage of citizens we have that
6 vote, and I feel that if we had instant runoff voting or
7 ranked choice voting that a great many more people would
8 find reasons to vote. As it is now, in too many places,
9 in too many races, there is not much choice.

10 If we get more people to the -- so instant runoff
11 or ranked choice voting will help in a couple ways. For
12 one thing, it will give people more of a chance to vote
13 how they really want to in order of their preferences,
14 but it will also get a lot more people out there to
15 vote, and I think that's really critical, especially in
16 these times when disenchantment with government is
17 increasing all the time. So I see this as a way to
18 really improve democracy.

19 The other thing that to me -- to my mind is
20 important is instant runoff voting really helps
21 campaigns. In instant runoff voting you're going to
22 pick your first choice and your second choice and your
23 third choice. As it is now you only get to pick one.
24 So Candidate A is busy telling you reasons you shouldn't
25 vote for Candidate B, some of which get pretty messy.

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1 Now, if, however, Candidate A wants to pick up the
2 second-choice votes of Candidate B, he's not going to be
3 telling you all the negative things about Candidate B.
4 He'll be discussing issues, and the whole tone of the
5 contests gets much more civil, much more issue oriented,

6 and descends into the mud much less often.

7 So these -- there are other good reasons to use
8 instant runoff voting or ranked choice voting, but I
9 think that the idea that more people with more choices
10 getting to the polls is one of the important ones and I
11 really think it's time that we took this means to really
12 improve the caliber of our elections, and I urge you to
13 do this now because we need it now. We'll still -- you
14 know in ten years, if we don't have it, we'll probably
15 need it even more, but this is a really good opportunity
16 to help democracy and our elections. Thank you.

17 MR. MUNRO: Bryan.

18 MR. GLYNN: I was wondering if you had any
19 thoughts on what effect ranked choice voting would have
20 on the influence of money in electoral politics.

21 MS. GRAGE: I think it would decrease the
22 influence of money because right now a lot of the money
23 is spent for reasons to put down the voter you're not in
24 charge -- that you're not supporting because you can do
25 that with a lot of the soft money that comes into

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1 elections.

2 I think it would increase the amount of money that
3 is spent showing the good things and the possibilities,
4 but because it wouldn't -- most elections now are
5 between two people, and it's very easy to just give
6 equal amounts of money if you have enough of it so that
7 whoever wins you have pull. If there are more

8 candidates, the field becomes wider, the number of
9 people who are voting that you hope to influence by your
10 expenditures of vast sums of money gets less, and I
11 think it would decrease the effect of money in elections
12 also.

13 MR. MUNRO: Thank you. Other questions?

14 Then moving on, Fiona Goodnight Collum.

15 MS. GOODNIGHT COLLUM: Hello. I'm a local high
16 school student as well, and I feel really strongly about
17 IRV because I feel like there's a huge problem with
18 apathy in this country, and I think I'll just reinstate
19 things here, but I think that apathy really disables us
20 and I think that we have a lot of -- we have an
21 opportunity at the moment to take advantage of the
22 voices of people in the community that aren't being
23 heard and I think that there are people with really
24 potentially powerful ideas that feel powerless because
25 they feel like we've fallen into a pattern and it can't

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1 be broken.

2 I think IRV can help bring back the effects that
3 your vote really does make a difference and that
4 qualifications are more important than campaign money.
5 I think it can also get more people to vote and maybe
6 get more people to run for office which is also
7 important.

8 I think it would be great if King County could
9 take a leading role in starting this because I think our

10 country should move in this direction and it would make
11 me proud if my county was part of it. So thank you.

12 MR. MUNRO: Thank you.

13 Duncan Autrey.

14 MR. AUTREY: Hello. My name's Duncan Autrey. And
15 I want to thank you all for the work you've been doing
16 in volunteering your time and I also want to speak
17 quickly about instant runoff voting and why I think you
18 should really consider trying to add this in to your
19 proposal.

20 I think King County really has an opportunity to
21 show itself as a forward-thinking county in this great
22 country, which is a role it has filled a number of times
23 in the past, and I think this is a really strong
24 opportunity and the opportunity lies in your hands to
25 recommend this to the King County Council.

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1 Over the last couple years I've had some
2 experience working on some local elections and there's
3 some aspects of IRV that really are important to me.
4 One of them is the aspect of having less negative
5 campaigns. I really -- I cherish the idea of candidates
6 talking about their own issues and less about the
7 problems of the other candidates and speaking to the
8 more nuance perspectives of their constituencies.

9 Secondly, speaking to the money comment earlier,
10 I've noticed that in primaries, primaries in a way
11 function to serve who people are going to give their

12 campaign funding to and the businesses who want to fund
13 candidates will wait until they have a sense of who's
14 going to win so they can figure out the most effective
15 way to spend their money and influence the politicians.
16 And I think that instant runoff voting really kind of
17 changes that strategy around.

18 And then just lastly, I'm just really tired of
19 seeing people vote based on their fears. I would really
20 like to see -- live in a society where people vote based
21 on their values. Thank you for all your work and thank
22 you for listening.

23 MR. MUNRO: Sandra Melo signed up, but did not
24 indicate whether she wanted to speak. Apparently then
25 she left. Okay. That's all done.

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1 Then the next person is Joe, and I think it's
2 Szwaja.

3 MR. SZWAJA: Szwaja. We're the people of all
4 continents. The Poles. Thank you. We've Americanized
5 [inaudible].

6 well, kudos to all you good folks that spent so
7 much time trying to make our county a better place. I
8 really appreciate that.

9 I'd also like to speak in favor of instant runoff
10 voting, also known as ranked choice voting. I'm the
11 vice president of Instant Runoff Voting of Washington.
12 As I think you know, IRV is well tried and tested around
13 the world. It's used now in London, Australia, Ireland,

14 and it's also being used more and more in the U.S. It's
15 used by the Utah Republicans. It's used for most
16 valuable player nowadays in baseball, the Heisman Trophy
17 for football, and even here in Washington for the
18 student elections and as well as in King County. It has
19 won the votes of people in the last ten jurisdictions
20 when it's been on the ballot including right here in
21 Pierce County, and so there's a lot of evidence about
22 IRV.

23 So what is the evidence about IRV? Well, I think
24 it tends to be that it would move us closer to the
25 values that we have in King County in many ways. Those

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1 include greater voter turnout, including the greater
2 participation among young people. Look at all the young
3 folks here tonight.

4 Also, IRV tends to increase the representation of
5 women and underrepresented ethnic groups, and it also,
6 as has been mentioned, tends to lead to less negative
7 campaigning because under IRV it matters a lot who you
8 vote for, No. 2 or No. 3, so you don't want to alienate
9 those voters too much.

10 I think it also tends to elect officials and enjoy
11 a true majority and to have a broader and more diverse
12 base of voter support that is true in our voter -- in
13 our plurality-based system. And even with the top two,
14 that's going to allow in many cases voters to merge in
15 the primary who in some cases have far less than

16 majority support. IRV does ensure majority support
17 every time.

18 I know that a lot of you, including our
19 magnificent and magnanimous former governor, has said
20 that IRV has promise but that we can't recommend it now
21 because of the changes we'd have to go through and also
22 because we need to wait and see what happens in Pierce.
23 I think understandably there are always, you know,
24 objections to changes and we understand that, but I
25 think if you look at IRV as a system that moves us

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1 closer to democracy, it never makes sense to wait on
2 democracy because of technical concerns.

3 I think as far as the Pierce County example, I
4 also want to echo what Rich said, is that looking at
5 Pierce County really won't teach us anything from a
6 technical perspective. If you really do want to compare
7 apples and apples with apples, please compare, you know,
8 the jurisdictions of Burlington, Vermont, and Cambridge
9 Massachusetts. Cambridge, Massachusetts, has used IRV
10 for decades. Burlington and Cambridge both use the same
11 software company, e-vote, so that will be a better
12 comparison I think.

13 So in closing I want to say that I'm a historian,
14 I teach history, and I know that many of the great
15 changes we've had in our country that have moved us
16 ahead as a society, women's suffrage, the end of
17 slavery, the eight-hour day, Social Security, who

18 advocated these changes? In many cases it was parties
19 and people that were outside the mainstream system, at
20 least originally.

21 Now, we have a lot of barriers now in our voting
22 system that don't allow those ideas to percolate up as
23 much. IRV's not going to get rid of all of that, even
24 though it might mitigate the power of money. We're
25 still going to have -- you know, big money's still going

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1 to be very powerful, but what IRV can do, and this is
2 really powerful, is it can eliminate the fear factor.
3 It can allow people to vote their true values without
4 feeling that they might elect somebody that they really
5 don't like, and I don't think that's a way to get us
6 ahead as a country.

7 I think that we've been strongest as a country and
8 as a county when we widen the circle of voices and
9 choices, and I urge you to act in the spirit of a
10 wonderful man who our county is named after, Martin
11 Luther King. When we mark -- widen the circle of
12 democracy, we're much stronger as a people. Please
13 adopt IRV. And thank you so much for your time.

14 MR. MUNRO: Kelly Lind.

15 MR. LIND: Hi. My name is Kelly Lind and I am up
16 here to also talk again about ranked choice voting and
17 the benefits. I'm an accountant so most of my
18 frustration about the current voting system comes from
19 the \$9.7 million that we spend as a state on the primary

20 that's basically we kind of didn't need to have.

21 MR. MUNRO: The King County Charter Commission
22 can't do anything about that.

23 MR. LIND: I understand that, but it's an example
24 that somebody had in [inaudible].

25 Actually, if memory serves, I think actually

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1 Mr. Lowry ran a friendly campaign for governor and
2 that's what my friend was speaking about earlier, that
3 IRV gives us better -- gives us more friendly campaigns.
4 We don't have all the mud slinging and all that kind of
5 things that I think create some of the apathy.

6 Another thing about the -- like Mr. Glynn's
7 question about the money, my friend from the
8 League of Women Voters talked about public financing for
9 campaigns if we didn't -- if we didn't spend all this
10 time collecting all this money for the primary and then
11 I have to grab for a whole bunch of dollars once I win
12 the primary, maybe I'm one of the top two in the
13 primary, I have 90 days to grab as much money as I can
14 to say as many things as I can about the other person
15 and until November. And I think there's just so many
16 other societal, civil, and wonderful benefits that we
17 could get and, you know, our country could lead the way.

18 We see in the newspaper all these recent elections
19 in other countries around the world and the problems
20 that they're having, the problems that are happening to
21 visiting citizens from other countries in those places

22 like Zimbabwe and Pakistan. Just more freedom, more
23 freedom and more choice and more liberty and more true
24 democracy the way -- the way the Greeks kind of set it
25 up for us to have.

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1 That's all I have. Thanks.

2 MR. MUNRO: Thank you. Now, that's the last
3 person here who has indicated that they want to say
4 something, but we've got a moment or two.

5 MR. FLOYD: I'm on that list, but my name hasn't
6 been called.

7 MR. MUNRO: What is your name, sir?

8 MR. FLOYD: Brendan Floyd.

9 MR. MUNRO: I apologize. There's an X across
10 here. I thought you had changed your mind. You can
11 have the floor.

12 MR. FLOYD: Hi. I'm a high school student at the
13 Nova project and I just kind of wanted to express my
14 kind of disappointment that IRV or RVC hasn't really
15 been -- has been kind of turned down basically.

16 I think that with RCV, it really allows people to
17 vote for who they want to vote for and not who they
18 think is going to win because, I mean, especially
19 recently you've seen a lot of people saying, oh, I like
20 X candidate, but I don't think he has a chance so I'm
21 supporting this candidate. And that's the way that --
22 if we had IRV-RCV, people would not have to vote for who
23 they fear is not going to win because they want to vote

24 for -- they don't want to get Candidate Z who they don't
25 like anymore.

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1 But it's also been suggested that IRV is too hard
2 for people to understand, but I disagree with that
3 because we do use it in everyday life, when getting up
4 in the morning and getting dressed we look for our
5 favorite outfit or, you know, favorite pants or whatever
6 and if we can't find those, they're dirty, then we go to
7 the next one and next one and next one until we find the
8 clean one.

9 And that's, you know -- and that's all I had.
10 Thanks.

11 MR. MUNRO: Thank you very much.

12 Now, unless there's someone who failed to sign in.
13 Oh, I see a hand up here. Why don't you come forward,
14 sir. I'm sorry. Introduce yourself.

15 MR. LEFEVRE: I will.

16 My name's John Lefevre. Please excuse the
17 lozenge. I have a cold.

18 Anyway, I am also here to talk about instant
19 runoff voting. A lot of what I have been thinking on my
20 way in has been said, but something else struck me that
21 I think a lot in what I do in terms of costs and
22 opportunities and risks, and one thing that's clear to
23 me from listening to all these people is that there is a
24 big risk. You know, I could see if I were project
25 planning this implementation, say, well, let's put it

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1 off a little while, we'll get all our ducks in a row, it
2 will be good, and when we have time to do it and
3 everyone's happy, you know, it's going on business as
4 usual.

5 But it strikes me that it's not business as usual.
6 we're standing in an emergency room and there's people
7 who need immediate care, and I'm getting more of that
8 sense now that there's really -- there's a lot more
9 urgency than just business as usual with the system that
10 we have now and the number of people who are not
11 attending the polling places in election times. And
12 anybody can look at the graph, King County not excluded,
13 and see that there's a lot of disillusionment, people
14 who could be running to polls.

15 Maybe this will help. It probably will. It has
16 other places and there might be much more need than we
17 can afford to say, well, let's just -- we'll play it
18 safe. Maybe we can't. Maybe it's a triage situation,
19 you have to do something. Maybe it's like a historical
20 moment. We can really make a difference. And that's
21 what I think of more as an opportunity cost. You can
22 play it safe and not think about an opportunity cost,
23 but if you miss it, it's a big cost later when you
24 realize you missed that opportunity. There is a huge
25 benefit that was lost. That's another cost besides just

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1 the implementation costs.

2 I hope I was clear on that. Clearer than my
3 throat is. Thank you for your time.

4 MR. MUNRO: There are going to be three other
5 hearings: One in Preston, one in Renton, and I believe
6 the fourth one is in Shoreline. Those will play out in
7 the next approximately ten or twelve days.

8 we have recorded what's been said here and these
9 matters will be considered by the full Commission when
10 it meets again towards the end of this month.

11 I want to thank you all for coming, for being good
12 citizens, for giving us your best thinking on these
13 issues. We are adjourned.

14 (Whereupon, the proceeding
15 concluded at 8:04 p.m.)

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CERTIFICATE OF REPORTER

STATE OF WASHINGTON)
COUNTY OF KING) ss.

I, Emily Kae Niles, Certified Court Reporter, do hereby certify:

That I reported in shorthand (Stenotype) the proceedings had in the above-entitled matter at the place and date indicated.

That I thereafter transcribed my said shorthand notes into typewriting, and that the typewritten transcript is a complete, true and accurate transcription of my said shorthand notes to the best of my ability.

IN WITNESS WHEREOF, I have set my hand in my office in the County of King, State of Washington, this 16th day of April, 2008.

EMILY KAE NILES, RPR, CCR #2794